



# **MEETING MINUTES**

## **BOARD OF SUPERVISORS, COUNTY OF MONO**

### **STATE OF CALIFORNIA**

Regular Meetings: The First, Second,  
and Third Tuesday of each month

#### **REGULAR MEETING**

County Courthouse  
Bridgeport, California 93517

**February 19, 2008**

**9:00 a.m. Meeting Called to Order by Chairwoman Bauer**

**Pledge of Allegiance led by Supervisor Hazard**

#### **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*

#### **BOARD MEMBER REPORTS**

**Supervisor Reid** reported on the following issues and activities:

1. Report deferred to the first meeting in March.

**Supervisor Hunt** reported on the following issues and activities:

1. Attended a First 5 meeting last Wednesday; discussed the strategic planning review process.
2. Attended a speaker contest for high school students sponsored by the Lions Club. The topic was immigration and the students came up with good ideas. The student who won the contest will attend a competition at the state level.
3. The weather over the weekend was good, the skiing was good, and a lot of people were in town.

**Supervisor Hazard** reported on the following issues and activities:

1. Received a letter from Churchill County Communications regarding cell service in Oasis. Service will not be discontinued until issues are resolved; CC Communications will work with the County.

**Supervisor Farnetti** reported on the following issues and activities:

1. Attended the management meeting last Wednesday. The following issues were raised: (1) safety issues in the Sierra Center Mall, (2) equipment clean-up in the old medical building, (3) the agriculture commissioner reported that agriculture generates \$32 million, (4) the Sheriff reported that the Grand Jury inspected the jail and the leaky roof continues to be an issue, (5) the CAO reported that Mammoth Airport is planning to shut down for three months over the summer to make improvements.

2. Attended the June Lake citizen advisory meeting; Intrawest made a presentation. This process started in January with 77 guidelines submitted by the community, which were narrowed to the top 15, including visual impacts, concentrated development, and building heights. It was a good meeting but Intrawest needs to provide the community with more specific information. Another meeting will be held in April.

**Chairwoman Bauer** reported on the following issues and activities:

1. Report deferred to the first meeting in March.

## **COUNTY ADMINISTRATIVE OFFICE**

- 1) CAO Report regarding Board Assignments (**David Wilbrecht**)  
**ACTION:** Receive brief oral report by County Administrative Officer (CAO) regarding his activities.  
**David Wilbrecht**, CAO, reported on the following issues and activities:
  1. The management meeting on Wednesday went well. Reminded everyone that Mono County deals with urban problems in a rural setting; asked staff to be aware of this.
  2. The agenda review committee is planning to move into the new system in March.
  3. Attended the MAG meeting in Mammoth last Thursday morning. The water department provided a review of projects scheduled for the next several years.
  4. Convened the Great Basin Air Pollution Control District work group to do an analysis of the process. Will prepare a list of questions for Great Basin to consider.

- 2) **APPROVAL OF MINUTES**  
None

## **CLOSED SESSION**

***Closed Session: 9:03 a.m. through 9:48 a.m.***

***Break: 9:48 a.m. through 10:00 a.m.***

***Reconvened: 10:00 a.m.***

- 3) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: Bob Garret, Dave Wilbrecht, Marshall Rudolph, and Brian Muir. Unrepresented employees: Assistant County Counsel.
- 4) CONFERENCE WITH LEGAL COUNSEL. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one.

***The Board had nothing to report from closed session.***

## DEPARTMENT REPORTS/EMERGING ISSUES

**Christy Robles and Keith Park** reported on the following:

1. Two issues regarding the February 5<sup>th</sup> election: (1) The tally process showed a substantially higher turnout in Antelope Valley, and a substantially lower turnout in Bridgeport and Old Mammoth. This is because the Insight vote counting machines use a header card that specifies votes counted in each precinct. If the header card is not used, the votes default to Precinct 1 (Antelope Valley). The header cards for Bridgeport and Old Mammoth were not run when the polls opened. So even though all the votes were counted properly, they were not distributed properly. This can be prevented in the future by making the machine cartridges precinct specific and taking header cards out of the process. This became an issue because of the paper ballots. (2) Due to weather conditions and road closures, the elections office received 105 late absentee ballots; there are usually 40-50. These votes cannot be counted. The absentee ballot states that people can drop their ballot off at a precinct.

**Scott Burns** reported on the following:

1. Regarding the Regional Transportation Improvement Program, reported last week that the plan was comprised of mostly local projects, which could raise a red flag with the state since only 20% of the funding is designated for the state highway system. Decided to submit the plan as originally proposed, so the County may receive some criticism. Burns asked the Board if one of their LTC representatives could attend the CTC meeting since the County may get 50% of the money. He also suggested that the Board Chair would be a valuable representative at the meeting, especially since the June Lake street rehabilitation project is the most expensive project on the list.

## CONSENT AGENDA

*(All matters on the consent agenda are to be approved in one motion unless a board member requests separate action on a specific item)*

## BOARD OF SUPERVISORS

- 5a)** Letter of Support for U. S. Forest Service Grant Application for the Swauger Creek and Twin Lakes Communities
- M08-035** **ACTION:** Approve, and authorize the Chair to sign, a letter addressed to the United States Forest Service, Bridgeport Ranger District, supporting their grant application to assist with fuel reduction projects in the Swauger Creek and Twin Lakes communities.  
**(Hazard/Reid, 5-0)**
- 5b)** Resolution of Endorsement
- M08-036** **ACTION:** Approve a Resolution of Endorsement regarding the submittal of an application for the East Walker Watershed Assessment and Planning Project by the Eastern Sierra Land Trust to the Sierra Nevada Conservancy.  
**(Hazard/Reid, 5-0)**

## ECONOMIC DEVELOPMENT AND SPECIAL PROJECTS

- 6) Appointment of Larry McIntosh to the Inyo-Mono Fish & Game Advisory Commission  
**M08-037 ACTION:** Appoint Larry McIntosh to the Inyo-Mono Fish & Game Advisory Commission to fill the existing vacancy.  
*(Hazard/Reid, 5-0)*

## CLERK-RECORDER (ELECTIONS DIVISION)

- 7) Consolidation of General Municipal Election with Primary  
**R08-07 ACTION:** Approve and authorize Chair's signature on **Resolution R08-07** to Consolidate the General Municipal Election with the Statewide Primary Election of June 3, 2008, for the election of two Town Council member vacancies.  
*(Hazard/Reid, 5-0)*

## REGULAR AGENDA

### CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

#	Received	Dated	From	Subject
8a)	2-9-08 Email	2-9-08	Bruce Woodworth to Mono County Board of Supervisors	Report on CSRC&D Meeting of January 22, 2008
8b)	2-11-08	1-31-08	Don Clark, Superintendent, Eastern Sierra Unified School District, to Mono County Board of Supervisors	Lee Vining School and Community Garden Project

8a) Supervisor Reid said Bruce Woodworth will be handling the CSRC&D and will keep the Board informed. Reid has asked Woodworth to attend the Board meeting if there is something of significance to report.

8b) Supervisor Farnetti asked for a resolution to be drafted and brought back before the Board at a future meeting. The CAO said he will follow up.

*Chairwoman Bauer acknowledged receipt of the correspondence.*

## COMMUNITY DEVELOPMENT DEPARTMENT

- 9) Housing Mitigation Agreement (**Larry Johnston and Mark Magit**)  
**M08-038 ACTION:** Adopt a Housing Mitigation Agreement between Mono County and John and Candace Logue, and authorize the Board Chair to execute the agreement.  
*(Reid/Hazard, 5-0)*

Mark Magit: When the size of a home exceeds 2,400 square feet, a fee is required. The original permit was for 2,228 square feet, but the building inspector learned that a basement increased the size by 1,800 feet; this triggered the housing mitigation ordinance. The fee would usually be paid at the time the permit is issued. In this case, the owners would like to have additional time to pay since they were not aware of the fee (\$8,773); there is a provision in the ordinance that allows for this. The proposed agreement allows up to 90 days to pay the fee.

Larry Johnston: Originally the basement was not designed to be habitable, but the inspector found plumbing and windows, which triggered the additional fee. The ordinance was written in a way so people can't piecemeal a project (i.e. constructing a project in phases that come in under the threshold). The ordinance specifies that a structure will be subject to the fee if it is built over the threshold in a five-year period. In addition to the housing mitigation fees, they will also pay additional permit fees.

## COUNTY ADMINISTRATIVE OFFICE—HUMAN RESOURCES

**10a)** Resolution Approving Employment Contract with Marshall Rudolph (**Robert Garret**)

**R08-08** **ACTION:** Adopt **Resolution R08-08** approving an employment agreement with Marshall Rudolph, and prescribing the compensation, appointment, and conditions of said employment; fiscal impact for FY 2007-2008 is \$73,689 (funds currently budgeted).  
(*Hunt/Farnetti, 5-0*)

Robert Garret: This is a four-year renewal of an agreement with County Counsel, who is effective and has good working relationships; by statute, the County Counsel has a four-year contract. At the December 18<sup>th</sup> Board meeting, the Board approved the compensation for calendar year 2008; it has been in effect since January 1<sup>st</sup>. This contract makes no change to the approved compensation, and memorializes the basis on which the salary is established.

**10b)** Resolution Approving Employment Contract with David Wilbrecht (**Robert Garret**)

**R08-09** **ACTION:** Adopt **Resolution R08-09** approving an employment agreement with David Wilbrecht, and prescribing the compensation, appointment, and conditions of said employment; fiscal impact for FY 2007-2008 is \$79,548 (funds currently budgeted).  
(*Farnetti/Hazard, 5-0*)

Robert Garret: This is a three-year contract with the CAO, who provides excellent leadership. The \$79,548 is the amount approved by the Board at the December 18<sup>th</sup> meeting for calendar year 2008. This contract makes no changes to the approved compensation, and memorializes the basis on which the salary is established.

Tony Dublino, The Sheet, asked if the County Counsel and CAO positions were removed from the 23-county survey. Garret said, no, these positions as part of the 23-county survey.

## BOARD OF SUPERVISORS AND EMERGENCY MEDICAL SERVICES

- 11) Emergency Medical Care Committee (**Mark Mikulicich and Mark Magit**)  
**R08-10 ACTION:** (1) Adopt **Resolution 08-10** that formally establishes an Emergency Medical Care Committee in Mono County, and that prescribes the membership of the Emergency Medical Care Committee. (2) Appoint members to the Emergency Medical Care Committee.  
**(Hunt/Hazard, 5-0)**

Mark Magit: Mark Mikulicich asked for assistance in modifying the bylaws, and in doing so, Magit found that Mono County had not formally established an Emergency Medical Care Committee. The purpose of the committee is to review and comment on ambulance programs, EMS care and training, and first aid practices. The committee is required to provide an annual report (to the Board and the state), and make recommendations about improvements to the various services. The Clerk's Office could find no documentation that this committee had been previously appointed. Once the committee is established, by resolution, the Board shall appoint the membership. The membership recommendations are listed in the staff report.

Mark Mikulicich: The committee has been meeting informally; this action will formalize the committee and its required duties. All appointees have been notified and have agreed to be members.

Supervisor Hazard asked if this committee could be consolidated with the Emergency Services Council. Magit said the two could possibly be a joint-type committee, but the Emergency Medical Care Committee is very specifically defined in the health and safety code, and is very narrowly focused.

Supervisor Reid asked if this committee will act as the conduit with Inland Counties Emergency Medical Agency (ICEMA); Mikulicich said yes.

## BOARD OF SUPERVISORS

- 12) Verbal Update and Status Report by the Assessor on his Office and Activities (**James Lovett**)  
**ACTION:** (1) Receive a verbal report from the Assessor regarding the status of his office and activities. (2) Provide any desired direction to staff.

Bob Musil appeared before the Board on behalf of Mr. Lovett. Supervisor Reid asked why the assessor was unavailable today. Musil said this morning Lovett held a staff meeting to confirm what was reported in the news media (that he was arrested while driving under the influence). Lovett told the staff he suffers from alcoholism, and he would be meeting with his doctor this morning to discuss the situation. It has been a rough few days, but the staff is pulling together.

Musil then gave his report:

- Regarding qualifications for the position of assessor, the person elected is presumed to have the necessary qualifications. They have 30 days to apply for a temporary appraiser's certificate, issued by the State Board of Equalization, and one year to take and pass the test to obtain a permanent certificate.

- Introduced Kat Robles, office manager who replaced Betty May. Kat is doing an amazing job, and has taken the organization to a new level.
- As of February 11<sup>th</sup>, the backlog of work is 199 parcels—85 are commercial and 38 are related to Mammoth Mountain Ski Area. There are 649 appraisals that need to be done as a result of changes in 2007, and 48 that need to be done as a result of actions in 2008; the 2007 and 2008 appraisals are not considered backlog.
- Regarding parcels on Prop 8 (the declining value list), there are 1,364 parcels on this list; 1,200 are time shares primarily in June Lake. The law allows for a temporary reduction to current market value with an annual review.
- Status of assessment appeals pending: There are 96 active appeals; 20 of these could be resolved but the Assessment Appeals Board does not have a quorum (two members) available to hear the cases due to conflicts of interest. There are 51 appeals related to work on the December 2005 change in ownership of Mammoth Mountain ski area. Ten cases are currently scheduled for a hearing before the board on March 24-25; one will be postponed, and one will be withdrawn. Three cases may be found to be untimely.
- The assessor has budgeted for 14 positions, including the assessor, and there are 13 staff members working; the office is short by one appraiser. Workloads will be adjusted to complete the work.
- Regarding the Mammoth Mountain appraisal, the consultant performed his work from January 30<sup>th</sup> through Feb 2<sup>nd</sup>, and received most, if not all of the information necessary to proceed. The appraisal of the golf course will be handled internally.

Supervisor Farnetti asked about the possibility of having Mammoth Mountain pay a portion now of what they owe, such as 60%. Marshall Rudolph said he could research this question, but they are not obligated to pay prior to receiving a bill, so any payment would be voluntary. Musil said the Assessor's Office can't establish a temporary number. He also said the County will not lose revenue on the 2005 change in ownership. However, the potential revenue for the 1997 change in ownership was lost because at the time it was uncertain whether or not the action constituted a change in ownership, which was a judgment call made by the previous assessor. By the time the current assessor decided to view the action as a change in ownership, too much time had passed and it was too late to hire an appraiser. Marshall Rudolph concurred that there was a great deal of debate and legal uncertainty about whether the acquisition of shares in 1997 by Intrawest was a change in ownership. Legal staffs spent a lot of time reviewing the question, and the assessor had to determine whether or not the County should spend staff time, and possible litigation, to pursue the matter. The 2005 change, however, was undisputed and clear cut.

***Break: 11:05 a.m. through 11:13 a.m.***

***Reconvened: 11:13 a.m.***

## **PUBLIC WORKS**

**13)**

Road Fund Long-Range Planning Workshop (**Evan Nikirk**)

**ACTION:** (1) Continue workshop from the February 12 meeting to discuss current and future funding and resources for Public Works' Road Division. (2) Review recent snow removal efforts in the context of those resources. (3) Receive staff report regarding current personnel allocations, status of existing heavy equipment,

planning for heavy equipment replacement, projections for future operations funding, and street improvements potentially available through Proposition 1B funding. (4) Provide any desired direction to staff.

Evan Nikirk: This is a follow-up to last week's discussion. Nikirk distributed copies of his Powerpoint presentation, along with tables and charts outlining road fund revenues and expenditures, existing and proposed truck and heavy equipment allocations, and heavy equipment fleet data. He highlighted the following:

- Summary of road district maintained mileage. Outlined each road district and what each district maintains.
- Description of Road Fund revenue sources. A number of sources support the road fund—the largest revenue stream is the Highway User's Tax. The Forest Reserve is specifically designated for roads; the general fund has contributed more in the last few years because state funds have been withheld. Don't know what the future holds—some of the funds, such as the Forest Reserve, could be terminated. The state can postpone payments to counties from some of the funding sources; some revenue sources have not increased for many years or have been withheld, but expenses have increased.
- Summary of recent Road Fund expense history. Salaries, wages and benefits (including overtime) account for the majority of the budget. A considerable amount is spent on fuel; special department expense is used primarily for materials and supplies. Equipment-Construction is for debt service. Have reduced the materials and supplies budget to decrease expenses.
- Comparison of projected revenues vs. expenses. Shows the projection of revenues and expenses; could have a \$1.5 million shortfall by FY 2012-13, unless the Road Fund is operated differently. The Road Fund has been fairly solvent over the years and didn't have financial problems until around 1999-2000.
- Summary of CARB diesel emissions standards. Every public agency must comply with Best Achievable Control Technology by retrofit (scrubbers on the existing engine), re-power (replacing the existing engine), or retirement (replacement). Low-mileage vehicles and dedicated snow removal equipment are exempt. Implementation schedules have been based on age of vehicle or equipment; recommend adopting the year 2025 retirement option.
- Existing vs. proposed on-road and off-road fleet. May be able to sell old equipment outside the state. Currently have 51 trucks and pieces of heavy equipment; the resale value could be around \$685,000 but there is no guarantee. The total cost to replace equipment could be about \$9.5 million if replacement is done on a one-for-one exchange; the cost decreases to about \$8.5 million by reducing the amount of equipment used in each district (i.e., may not need two pieces of equipment in every district). The proposed inventory would be 42 units.
- Outlined major road rehabilitation projects currently planned.
- Summary of Proposition 1B and project options. \$2 billion of funding was identified for local streets and roads funding (cities and counties) for road construction and rehabilitation of roads and bridges, which includes drainage facilities. This year \$950 million will go to counties and cities; no funding is currently planned for FY 08-09. Expecting \$1.2 million to Mono County for projects that are most important; the Board will have to approve the projects. The state started releasing funds last week; can't use them to fill in operational gaps (salaries or other operational expenses). Qualified projects can be substituted for those initially identified. Projects must have a useful life of 15 years.



Board questions and comments:

- Supervisor Hazard: Suggested transferring the Owens River Road project to a Chalfant project. Kelly Garcia said the Owens Gorge money could be reassigned through a STIP amendment. Hazard said the heavy equipment seems to be more of a priority than small vehicle replacements. Nikirk will work with staff to develop specifications for equipment purchases, which he will put out to bid at as many dealerships as possible. Hazard said he would like to see some new equipment by next winter.
- Supervisor Farnetti: Asked if Nikirk would bring a proposed truck/equipment replacement plan to the Board at budget time (a plan addressing needs over time and financing options). Nikirk said he will bring a plan to the Board for the FY 2008-09 budget.
- Bauer suggested having additional discussions about this issue, including one after the March CTC meeting.
- Supervisor Reid asked about the cost of the road rehabilitation project at Lundy Lake. Garcia said the cost is \$1.5 million. Funding for the complete project was short by about .5 million, so the first 1.3 miles going past the houses was reduced to just an overlay; the additional .5 million would have allowed for widening and a full grind and reconstruction.

Brian Muir: Once the Board makes a policy decision, the financing portion is easy. The Board needs to remember that ultimately the County must pay the debt service, and the revenue stream may not change in the short term.

## ~ LUNCH RECESS ~

***Break: 12:30 p.m. through 1:25 p.m.***

***Reconvened: 1:25 p.m.***

## OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

***No one spoke.***

## BOARD OF SUPERVISORS

14)

Update from Sierra Nevada Conservancy (**Supervisor Hunt and Julie Bear**)

**ACTION:** (1) Receive update from Julie Bear, Sierra Nevada Conservancy, about activities, requests for funding, and their current application. (2) Provide direction to staff if desired.

Julie Bear was unable to attend. Supervisor Hunt provided the update from an email received from Bear:

"As you may recall, \$1M was appropriated for Strategic Opportunity Grants (SOGs) for each sub-region by our Board, and projects totaling \$165,099 were approved in December for the Eastern Sierra, leaving \$834,901 for the remainder of this fiscal year, which ends in June. Our next Board meeting will be held on March 13<sup>th</sup> in Madera County at which time second round SOGs, as well as the competitive grants, will be awarded. The number of viable submittals for the second round of SOGs from our sub-region was substantially higher than for the first round. They include projects from Mono, Inyo, and Alpine counties for:

- Restoration

- Site improvement
- Fire fuels reduction
- Planning
- Monitoring
- Education and outreach

The requests significantly exceed our remaining appropriation so not all the proposals from the Eastern sub-region will receive funding this time. While this may be a short-term challenge, the long-term benefit of having viable projects in the queue supports two important facts that many in the region have been trying to convince our State legislators of:

- There are “needs” throughout the underserved Sierra.
- With necessary resources Sierra organizations and agencies can develop and implement projects that improve the environmental, economic, and social well-being of this majestic and life-giving region.

I would urge those entities/organizations having site improvement, acquisition, or restoration proposals that require more than \$100,000 to remember that there is also an annual competitive grant program available. We need great participation from the Eastern sub-region in that program!

Currently we are reassured that our allocation for FY 08-09 remains intact in the Governor’s proposed budget. We will continue to monitor the situation closely lest we need to once again band together to persuade our Legislators to appropriate the monies. The people of California stated clearly through the passage of Prop. 84 that we believe it is critical and necessary to protect and improve our watersheds.

My thanks to all of those who have prepared applications, forged partnerships, and created collaborative efforts, and to those who are planning to do so. We will continue to represent the needs and opportunities that exist in the Eastern Sierra with strong and essential projects.

On a local note, our Open House/Reception originally planned for this winter will be rescheduled soon for early spring. The much needed storms, coupled with our heavy workload, made it necessary to delay these events, but when we do gather we will have “much more” to celebrate.

Please contact me with any ideas or questions you might have about potential projects, processes, or other ways in which the SNC might be assistance. Thank-you “all” for making a difference.

## DEPARTMENT OF FINANCE

### 15) Mid Year Budget Review (**Brian Muir**)

**M08-039**

**ACTION:** (1) Approve the establishment of environmental health positions for the new Mono County Environmental Health Department. (2) Approve the reduction of the North County Development Services Coordinator to a ¾-time position, and approve the addition of one professional planner position in the Community Development Department.

**(Hunt/Farnetti, 5-0)**

- M08-040**      **ACTION:** Approve a \$20,000 contribution to IMAAA (to be discussed at a meeting scheduled for February 29<sup>th</sup> with IMAAA representatives of Inyo County), \$6,000 of which will be used to pay for more hours for the site coordinator and the cook so they can adequately perform their duties; the remainder will be a contribution to the IMAAA organization.  
**(Reid/Hazard, 5-0)**

The Board tabled the remainder of the mid-year budget review until the first meeting in March.

Brian Muir: There are no glaring problems in the budget. Muir highlighted the following:

- As of December 31<sup>st</sup>, the County has received a little over half of the general fund revenues, and will receive more property taxes than were budgeted. However, the County will not see double-digit tax revenues next year, so large amounts of cash will not be generated for the budget.
- The transient occupancy tax is ahead of budget; about \$650,000 net is available.
- Due to the increase in management salaries based on the 23-county survey, there is approximately \$230,000 in unbudgeted salary increases.
- There are \$570,000 of new requests—\$420,000 of which is for the remodeling work in the Sierra Center Mall.
- Total funds available equal about \$1.9 million; if all requests are funded, the contingency fund will have about \$700,000.
- Urged the Board to be conservative in order to have a large cash carryover in the next budget. There is currently \$4.7 million in reserve, and there should be \$4.9 million by the end of June.

Regarding salaries, Supervisor Bauer asked if it would be possible to do a 5-10 year projection. Muir said it was simple to do, but was not very accurate beyond 2-3 years. Supervisor Reid also asked about unbudgeted salaries, specifically CAO and County Counsel. Muir said during the budget process, a 5% increase was budgeted so the unfunded amount is the difference between 5% and what the Board recently approved. Marshall Rudolph pointed out that the attorneys are governed by the management compensation policy so all of their increases were unfunded. Muir said the basic salaries were appropriated, the increases were not.

Supervisor Hunt asked about the net unbudgeted revenues. Muir said this will materialize because it is based on the tax roll, and there have not been many delinquencies. David Wilbrecht, CAO, said this revenue is being shown for informational purposes and does not mean the Board must spend it, especially if they want to be conservative.

The mid-year budget document is on file in the Clerk's Office. The following departments reported on their budgets (goals and changes):

- District Attorney, George Booth
- Probation, Beverlee Bryant
- Sheriff's Department, Sheriff Scholl and Lynetta Fuerst
- Community Development, Scott Burns
- Public Works, Evan Nikirk and Kelly Garcia

***Break: 3:15 p.m. through 3:25 p.m.  
Reconvened: 3:25 p.m.***

Budget reports continued:

- Child Support, Julie Tiede
- Health and Human Services, Tom Wallace, Mary Booher, Lynda Salcido, Ann Gimpel, Ed Zylman
- Paramedics, Mark Mikulicich
- Animal Control, Nancy Boardman
- Economic Development, Dan Lyster
- Information Technology, Clay Neely
- Assessor's Office, Bob Musil
- Clerk/Recorder, Lynda Roberts
- Finance Department, Brian Muir
- County Counsel, Marshall Rudolph
- County Administrative Officer, David Wilbrecht, Rita Sherman, Robert Garret

Supervisor Reid asked to have \$6,000 of the \$20,000 contribution to IMAAA be designated for staff resources at the Walker Senior Center. He expressed concern about losing good staff members if the Board doesn't take this action.

David Wilbrecht addressed the issue of salaries in the future. There may be some pressure when the unions negotiate next year. Also, baby-boomer retirements will impact the ability to fill vacant positions.

In reference to the position allocation list, Robert Garret said he needed the Board to approve environmental health positions that are on the list so he can move forward with hiring; Wilbrecht said the Board had previously approved the positions. Garret said the Community Development Department has a switch in a position allocation that also requires Board approval.

**ADJOURN: 5:39 p.m.**

## ***Reconvene Evening Meeting in Lee Vining Community Center***

**6:35 p.m. Meeting Called to Order by Chairwoman Bauer**

**Pledge of Allegiance led by Supervisor Reid**

## OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

The following people addressed the Board:

- Tim Hansen thanked those responsible for fixing the road in front of the community center. Also, regarding workforce housing, he would like to have a meeting and bring proposals to the next Housing Authority meeting. Lastly, he received a letter regarding financial liability about the big horn sheep project, which he doesn't understand. Supervisor Hazard said the Board also received copies of the letter about the big horn sheep; Dan Lyster is formulating a response. Supervisor Reid said the RPAC has done a lot of work regarding workforce housing; Larry Johnston has been asked to schedule this at the next Housing Authority meeting.
- Yvette Garcia, on behalf of the Lee Vining Chamber of Commerce, reiterated that they would like the community center paved and landscaped. They appreciate the gravel, however, it is not a permanent solution. She distributed copies of a letter addressed to the Board. Supervisor Reid said he told the RPAC this issue would be addressed.
- Jeff Hansen said an obvious solution to workforce housing is to use the subdivision that was once used on the Conway Ranch. He also addressed the issue of fish rearing and said the tax payers deserve a report on a timely basis about what is happening on the Ranch. Supervisor Farnetti said Tim Alpers will give his annual report during the first meeting in March. Supervisor Bauer said staff is looking into using Conway Ranch for workforce housing.
- Eileen Mandelbaum, community gardener, said they are celebrating the 10<sup>th</sup> gardening season in the Lee Vining community. This is a hands-on educational program where students and members of the community work together to grow food. It started in 1998 and would not have been possible without the Board's support and cooperation of County staff. She thanked the Board for their continued support. At this time, the project needs to install two small structures on the property (a tool shed and starter shed), which straddles school board land and county land. Marshall Rudolph said assistant county counsel, Mark Magit, is reviewing the issue.
- A group of students addressed the issue of building a skateboard park in Lee Vining. The park would enhance the area and provide a place for young people. It would benefit youth and adults, and provide a positive way to have fun and build self esteem. They asked for the Board's support; they are currently working on fundraising. David Wilbrecht, CAO, encouraged them to continue fundraising and he suggested they talk with the RPAC.
- Mike Schlaffman, Deputy District Ranger for Mammoth and Mono Lakes Districts, addressed the issue about the cinder mine. The Jolleys do have a valid claim, so the next step will be to complete the EIR and determine how big an area they can mine from. The draft assessment is in the Washington office, which sets the stage for determining the size of the locatable claim (he believes it is slightly smaller than the original claim, but twice as big as current mine face). Once finalized, the Jolleys will have the opportunity to revise the proposed plan. If they accept it, the EIR process will begin; if they protest, the interim procedures for providing cinders will continue. Supervisor Reid asked Schlaffman to keep the Board updated. Schlaffman also reported that the Rural School Funds Act expired, so they may revert back to the 25% formula which impacts the County unless legislation is passed. The 25% is tied to revenue rather than the rural school act.

## COUNTY COUNSEL

### 16) FERC Relicensing of Lundy Powerplant (**Marshall Rudolph**)

**ACTION:** (1) Receive brief oral update by County Counsel regarding FERC's November 15<sup>th</sup> order amending SCE's license for its Lundy hydroelectric plant. (2) Provide any desired direction to staff.

Marshall Rudolph highlighted the following:

- In 1998 the County started to purchase the Conway Ranch, including water [before it gets to the Ranch, the water flows through Lundy hydroelectric plant].
- In 1999, FERC issued a license to SCE; one item of interest to the County was that SCE put a certain amount of water into Mill Creek. The County was concerned that during certain times of the year there would not be enough water left over to satisfy the County's water rights; other parties were also concerned with a reduced stream flow. The issue was mediated with various groups to work out a win/win solution; a settlement agreement was reached in 2005, but the County did not sign. SCE asked FERC to amend the license as had been worked out.
- The County didn't sign the settlement agreement because the thought was FERC should do an environmental impact statement. If the issue comes up again, FERC may have to confront the EIR.
- The main issues include: in-stream flow, a return ditch, and a requirement for SCE to prepare an annual water management plan. (1) The in-stream flow was reduced from 4 csf to 1 csf. (2) FERC did not mandate the SCE to upgrade the return ditch, but said if SCE wanted to seek an amendment for non project reasons, they would consider the request. (3) FERC did not require the water management plan, but SCE could choose to do the plan. SCE has indicated they will do this.
- The order is online if people are interested in more detail.

Tim Hansen expressed concern about the Thompson Ranch drying up. Rudolph said the Thompson Ranch is a DWP issue; they supported the settlement agreement. Hansen also asked about the De Chambeau Ranch. Rudolph said the forest service is not giving up its water; a lot of the County's water is non consumptive, so De Chambeau water needs can be met by water put back in Wilson Creek after County use. Mike Schlaffman said the forest service finds there is value in maintaining De Chambeau Ranch, but he doesn't have the authority to divert the water.

## COUNTY ADMINISTRATIVE OFFICER

### 17) Verbal Update on the Status of the Lee Vining Avalanche Bypass Road (**David Wilbrecht**)

**ACTION:** Receive verbal report regarding the status of the Lee Vining avalanche bypass road.

David Wilbrecht, CAO, reported the following:

- Two years ago the bypass road was used by various groups, including school buses and big trucks. It became apparent that permits and procedures were needed in order to use the road. The County received permission last year to use the road as an emergency bypass road, but not for general use purposes knowing that eventually the gasex would be installed to release avalanches in a more contained manner.

- Use of the road is coordinated with Caltrans and regulation will be handled by the Sheriff's office.
- Will keep the permits in place in perpetuity since the road is for an exceptional use and not every-day use.
- When gasex is in place, the road will still be used in the same way as it is now. Hopefully the public will be notified in advance of the gasex work.
- Gasex will allow for avalanches to be more controlled and cleared quicker.
- Once winter ends, the berms at the ends of the access road will be removed.
- The issue of opening the road to other necessary uses, such as hauling cinders, will be discussed at an upcoming meeting in Mammoth.

Supervisor Bauer said gasex doesn't solve the problem quickly; the avalanche is controlled but still needs to be cleared.

A member of the audience suggested improving the bypass road. Michael Schlaffman recommended getting the gasex operational before discussing a road improvement. The Lee Vining avalanche paths are long and snow may not reach the road in all avalanches, but the bypass road is in the slide area.

## **ADJOURN: 7:55 p.m.**

Mono County Board of Supervisors will meet in regular session on **March 4, 2008**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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